

## Message Text

LIMITED OFFICIAL USE

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ACTION EB-11

INFO OCT-01 EUR-25 EA-11 ISO-00 COME-00 L-03 LOC-01

CIAE-00 INR-10 NSAE-00 RSC-01 PRS-01 DRC-01 /065 W

----- 111647

R 171016Z SEP 73

FM AMEMBASSY MANILA

TO SESTATE WASHDC 8027

INFO AMEMBASSY CANBERRA

AMEMBASSY LONDON

AMEMBASSY OTTAWA

LIMITED OFFICIAL USE MANILA 10577

E O 11652: N/A

TAGS: EIND, US, RP

SUBJ: PHILIPPINE COPYRIGHT PROTECTION

REF: A) STATE 147285; B) STATE 165036; C) STATE 183525;  
D) MANILA 10247

1. ECON/COM COUNSELOR PLANS PRESENT TALKING PAPER TO NEDA  
DIRECTOR GENERAL SICAT WHO IS MEMBER OF THREE-MAN  
COMMITTEE ESTABLISHED BY PRESIDENTIAL DECREE 285, (SEE  
REF D) INCORPORATING DEPARTMENT'S CONCERN WITH BOTH  
PRESIDENTIAL DECREES (PARAS TWO AND FOUR REF C).

2. IN ADDITION TO INFORMATION PROVIDED REF D, FOLLOWING DETAILS  
FURNISHED RE COPYRIGHT PROTECTION ISSUE:

A. BELIEVE PRESIDENTIAL DECREE 285 IS "PRESIDENTIAL PROCLAMATION"  
TO WHICH PRENTISS-HALL'S ALBERT REFERRED (REF A). NO INDICATION  
THAT PRESIDENT MARCOS WILL ISSUE DECREE SPECIFICALLY WITHDRAWING  
PHILIPPINES FROM BERNE CONVENTION. FURTHERMORE, SICAT REPORTED  
BY BULLETIN TODAY SEPT 9 TO HAVE SAID THAT DECREE DOES NOT REQUIRE  
TERMINATION OF BILATERAL TIES WITH U.S. OR WITHDRAWAL FROM BERNE  
CONVENTION. ALTHOUGH NOT QUOTING HIM DIRECTLY, BULLETIN TODAY  
ARTICLE ATTRIBUTES TO SICAT FOLLOWING STATEMENT " THE MANIFEST  
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INTENTION OF THE TWO AGREEMENTS WAS TO GRANT FOREIGN AUTHORS

NATIONAL TREATMENT AS TO THEIR COPYRIGHTED WORKS OR THE SAME PROTECTION ENJOYED BY DOMESTIC AUTHORS OF THE SIGNATORY COUNTRIES". PRESIDENTIAL DECREE 285 INCLUDES DOMESTIC, AS WELL AS FOREIGN WORKS.

B. ALSO FURTHER TO INFORMATION SUPPLIED REF (D) WE KNOW OF NO "NEW" RULES FOR APPLICATION FOR COPYRIGHT. REGULATIONS (SAVE CONSULAR OFFICER CERTIFICATION) WHICH HAVE BEEN IN FORCE SINCE COPYRIGHT LAW ENACTED 1924 REQUIRE:  
(Q) APPLICATION ON GOVERNMENT FORM;  
(2) AFFIDAVIT OF OWNERSHIP INCLUDING STATEMENT OF MANNER OF ACQUISITION IF APPLICANT OTHER THAN AUTHOR;  
(3) POWER OF ATTORNEY IF FILING THROUGH ATTORNEY;  
(4) ASSIGNMENT OR VERIFIED COPY OF ASSIGNMENT WHERE APPLICANT NOT AUTHOR. IF ASSIGNMENT EXECUTED IN FOREIGN COUNTRY IT MUST BE CERTIFIED BY PHILIPPINE DIPLOMATIC OR CONSULAR OFFICER.  
(5) APPOINTMENT OF RESIDENT (IN PHILIPPINES) AGENT. (APPLICATION INSTRUCTIONS OF COPYRIGHT OFFICE ADVISES NON-RESIDENT APPLICANTS TO APPOINT RESIDENT AGENT.)

3. COPIES OF LAW, REGULATIONS AND GOP FORMS BEING POUCHED.

4. TO DATE, ONLY AUSTRALIA HAS REPORTED PRESIDENTIAL DECREES 284 AND 285 TO HOME OFFICES. UK AND CANADA INDICATE THEY WILL BE REPORTING DECREES IN NEAR FUTURE.  
SULLIVAN

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** COPYRIGHT AGREEMENTS, COPYRIGHT INFRINGEMENTS, PUBLISHING SERVICES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 17 SEP 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** golinofr  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973MANILA10577  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** n/a  
**From:** MANILA  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1973/newtext/t19730930/aaaaavzr.tel  
**Line Count:** 87  
**Locator:** TEXT ON-LINE  
**Office:** ACTION EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** A) STATE 147285; B) STATE 165036; C)  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** golinofr  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 25 OCT 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <25-Oct-2001 by eisnerah>; APPROVED <21-Dec-2001 by golinofr>  
**Review Markings:**

Declassified/Released  
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EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** PHILIPPINE COPYRIGHT PROTECTION  
**TAGS:** EIND, US, RP  
**To:** n/a  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005